



## **Flathead City-County Health Department**

1035 First Ave. West Kalispell, MT 59901

(406) 751-8101 FAX 751-8102

[www.flatheadhealth.org](http://www.flatheadhealth.org)

BUSINESS & LABOR

EXHIBIT NO. 2

DATE 3-17-09  
Community Health Services

BILL NO. HB 331  
751-8110 FAX 751-8111

Environmental Health Services

751-8130 FAX 751-8131

Reproductive Health Services

751-8150 FAX 751-8151

Home Health Services

751-6800 FAX 751-6807

WIC Services

751-8170 FAX 751-8171

March 16, 2009

Chairman Joe Balyeat and Members  
Business, Labor and Economic Affairs Committee  
Montana Senate  
Helena, MT 59620

Re: HB 331

Dear Chairman Balyeat,

As the Health Officer of the Flathead City-County Health Department I urge your support of HB 331. HB 331 establishes fee setting for food service establishments, public accommodations and trailer courts-RV parks as a rule-making process.

Fee setting in rule is, by far and away, the norm for establishing state-wide fees in Montana. The administrative rule process establishes a means and requirement for public/industry participation in the process. It will allow expanded public participation that may establish a more equitable approach to the fees. Except for the very smallest of operation, all food service establishments pay the same fees. A grocery store that may take our staff a full day or longer to inspect pays the same fees as a fast food restaurant that may take only a few hours to inspect.

The Flathead City-County Health Department is responsible for the inspection of these state-licensed facilities. The fees collected and reimbursed to local health departments cover only a small portion of the costs of complying with the inspection requirement set by the state. But this is not just about the reimbursement for the inspection services. We are a public health agency and we take whatever time is needed to gain compliance with our establishments to reduce the risk of foodborne disease. In Flathead County, reimbursed fees cover no more than 38% of the overall program costs and it would be a much smaller portion if we were not able to incorporate this service with other public health programming. I'm sure you realize that we make up the difference in revenue with property tax dollars – funds not available for community-wide public health programming necessary to fulfill our mission.

We urge your support for HB 331. If you have any questions regarding this matter please call me at 751-8103.

Sincerely,

Joseph W. Russell, R.S., M.P.H.  
Health Officer